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[Additional counsel appear on signature  
page]

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*Attorneys for Defendant and  
Counterclaimant Apple Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

EPIC GAMES, INC.,  
  
*Plaintiff, Counter-defendant,*  
  
vs.  
  
APPLE INC.,  
  
*Defendant, Counterclaimant.*

No. 4:20-CV-05640-YGR-TSH

**STIPULATION AND [PROPOSED]  
ORDER REGARDING TESTIMONY  
SUBMITTED WITH FOUR-HOUR  
DEPOSITION DESIGNATIONS**

Hon. Yvonne Gonzalez Rogers

1 IT IS HEREBY STIPULATED: the Parties, through their respective counsel, agree to the  
2 admission into evidence of the testimony identified in the following witnesses' deposition  
3 designations submitted to the Court on April 27, 2021 and jointly lodged with the Court with the  
4 exhibit stamps identified below:

- 5 1. Joe Babcock (Apple Ex. Depo. 1)
- 6 2. Joe Kreiner (Apple Ex. Depo. 2)
- 7 3. Haseeb Malik (Apple Ex. Depo. 3)
- 8 4. David Nikdel (Apple Ex. Depo. 4)
- 9 5. Nicholas Penwarden (Apple Ex. Depo. 5)
- 10 6. Mark Rein (Apple Ex. Depo. 6)
- 11 7. Alec Shobin (Apple Ex. Depo. 7)
- 12 8. Daniel Vogel (Apple Ex. Depo. 8)
- 13 9. Adrian Ong (Epic Ex. Depo. 1)
- 14 10. Phillip Shoemaker (Epic Ex. Depo. 2; Apple Ex. Depo. 10)
- 15 11. Eddy Cue (Epic Ex. Depo. 3)
- 16 12. Scott Forstall (Epic Ex. Depo. 4; Apple Ex. Depo. 9)
- 17 13. C.K. Haun (Epic Ex. Depo. 5)
- 18 14. Eric Friedman (Epic Ex. Depo. 6)
- 19 15. Ron Okamoto (Epic Ex. Depo 7)

1 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

2  
3 Dated: May 10, 2021

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1 **PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO**  
2 **ORDERED.**

3 DATED: \_\_\_\_\_

4 HON. YVONNE GONZALEZ ROGERS  
5 United States District Court Judge  
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**ECF SIGNATURE ATTESTATION**

In accordance with Civil Local Rule 5-1, the filer of this document hereby attests that the concurrence of the filing of this document has been obtained from the other signatory hereto.

Dated: May 10, 2021

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Mark A. Perry  
Mark A. Perry

*Attorney for Defendant and  
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